

REMARKS

The Official Action made the rejection of the pending claims final, consideration of this response pursuant to the expedited procedure for response after final rejection set forth at 1059 OG 19-20 respectfully is solicited.

Claims 29-41 are cancelled without prejudice to the filing of a continuing application including those claims. Claim 42 is amended to be in independent form including all of the limitations of the base claim and any intervening claims. Claims 1-28 and 42 remain pending. The claim amendments are supported by the application as filed; therefore, no new matter has been introduced by the claim amendments.

Anticipation Rejection

Claim 28 was rejected under 35 USC §102(b) as anticipated by Sunshine '465. (Part of Paper Mailed on 04252005 at p. 2.)

For the reasons set forth below, the rejection, respectfully is traversed.

Claim 28 is cancelled. It is believed that this ground of rejection is moot and the rejection should be withdrawn.

Obviousness Rejection

Claims 28-41 were rejected under 35 USC §103(a) as being unpatentable over Sunshine '899. (Part of Paper Mailed on 04252005 at p. 2.)

For the reasons set forth below the rejection, respectfully is traversed.

Claims 28-41 are cancelled. It is believed that this ground of rejection is moot and the rejection should be withdrawn.

Obvious-type Double Patenting

Claims 18-27 also have been rejected under the judicially created doctrine of obviousness-type double patenting. (Part of Paper Mailed on 04252005 at p. 4.) The Examiner alleges that claims 18-27 of the instant application are unpatentable over claims 1-13 of U.S. Pat. No. 6,211,246. The Examiner indicated, however, that there are no other rejections pending against claims 18-27 of the instant application and those claims would be allowable with a timely filed terminal disclaimer.

In view of the Examiner's suggestion, filed concurrently herewith is a terminal disclaimer over U.S. Pat. No. 6,211,246. It is believed that the filing of the terminal disclaimer renders claims 18-27 allowable.

Claims 28-41 also have been rejected under the judicially created doctrine of obviousness-type double patenting. (Part of Paper Mailed on 04252005 at p. 4.) The Examiner alleges that claims 18-27 of the instant application are unpatentable over claims 23-30 of U.S. Pat. No. 6,211,246.

For the reasons set forth below the rejection, respectfully is traversed.

Claims 28-41 are cancelled. It is believed that this ground of rejection is moot and the rejection should be withdrawn.

Claim 42 also has been rejected under the judicially created doctrine of obviousness-type double patenting. (Part of Paper Mailed on 04252005 at p. 4.) The Examiner alleges that claims 42 of the instant application are unpatentable over claim 14 of U.S. Pat. No. 6,211,246. The Examiner indicated, however, that there are no other rejections pending against claim 42 of the instant application and the claim would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and with a timely filed terminal disclaimer.

In view of the Examiner's suggestion, claim 42 is rewritten in independent form including all of the limitations of the base claim and any intervening claims filed and filed concurrently herewith is a terminal disclaimer over U.S. Pat. No. 6, 211,246. It is believed that the filing of the terminal disclaimer renders claim 42 allowable.

Accordingly, for the reasons set forth above, entry of the amendments, withdrawal of the rejections, and allowance of the claims is respectfully requested. If the Examiner has any questions regarding this paper, please contact the undersigned.

Finally, the Examiner is invited to call the applicants' undersigned representative if any further action will expedite the prosecution of the application or if the Examiner has any suggestions or questions concerning the application or the present Response. In fact, if the claims of the application are not believed to be in full condition for allowance, for any reason, the applicants respectfully request the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP

§ 707.07(j) or in making constructive suggestions pursuant to MPEP § 706.03 so that the application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Respectfully submitted,

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DATE: August 25, 2005